

**TUESDAY, MAY 12, 1981**

**FORTY-EIGHTH LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Chaplain Bill Day, Director of Pastoral Services, Baptist Hospital, Nashville, Tennessee.

Representative Sterling led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

The Speaker announced that Representative Stafford was excused because of illness.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 178, 970, 971, 1270 and 1293; and find same correctly enrolled and ready for the signatures of the Speakers.

**MARILYN EVELYN HAND,**  
*Chief Engrossing Clerk.*

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 163, 169, 176, 205, 310, 315, 409, 412, 988, 1142 and 1176; also, Senate Joint Resolutions Nos. 36, 122

and 128; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 178, 970, 971, 1270 and 1293; Senate Bills Nos. 163, 169, 176, 205, 310, 315, 409, 412, 988, 1142 and 1176; and Senate Joint Resolutions Nos. 36, 122 and 128.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 80, 355, 368, 429, 461, 509, 556, 593, 624, 639, 640, 663, 689, 702, 798, 815, 878, 929, 930, 995, 1011, 1107, 1205, 1219, 1226, 1230, 1280, 1305, 1306, 1317 and 1318; and House Joint Resolutions Nos. 69, 194, 198, 203 and 219; for his action.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

Ms. Duer moved that the rules be suspended for the purpose of introducing House Resolution No. 56 out of order, which motion prevailed by the following vote:

Ayes .....	81
Noes .....	4
Present and not voting .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Brewer, Buck, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Dispayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Percy, Phillips, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood and Yelton—81.

Representatives voting no were: Bell (Wilson), Burnett, McKinney and Naifeh—4.

Representative present and not voting was: Owen—1.

House Resolution No. 56—Relative to commending Republican Women, Cumberland County—By Duer.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. Duer, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Kent moved that the rules be suspended for the purpose of introducing House Resolution No. 57 out of order, which motion prevailed by the following vote:

Ayes .....	89
Noes .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work and Yelton—89.

Representative voting no was: McKinney—1.

House Resolution No. 57—Relative to memory, Lt. Clarence P. Cox—By Kent.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Kent, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 223 out of order, which motion prevailed.

House Joint Resolution No. 223—Relative to honoring Don O. Chandler—By Naifeh.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Naifeh, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Speaker pro tem Brewer relinquished the Chair to Mr. Martin, Speaker pro tem.

### **REPORT OF DELAYED BILLS COMMITTEE**

Pursuant to Rule No. 76, the Delayed Bills Committee has met and approved House Bill No. 1315 for consideration by the appropriate standing committee.

Ned R. McWherter

James M. Henry

S. Thomas Burnett

### **CALENDAR**

House Bill No. 223—To make certain provisions, funding, Meharry Medical College.

On motion, House Bill No. 223 was made to conform with Senate Bill No. 131.

On motion, Senate Bill No. 131, on same subject, was substituted for House Bill No. 223.

Mr. Brewer moved that Senate Bill No. 131 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby) Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, (Shelby), Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

Mr. Smith moved that House Bill No. 867 be placed on the Calendar for Wednesday, May 20, 1981, which motion prevailed.

Mr. Speaker pro tem Brewer resumed the Chair.

House Bill No. 1282—To provide litigation tax certain courts, Sumner County.

Mr. Wix moved that House Bill No. 1282 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

A motion to reconsider was tabled.

Senate Bill No. 769—To amend Section 57-4-102, Code.

Mr. Murphy (Davidson) moved that Senate Bill No. 769 be passed on third and final consideration.

Mr. Murphy (Davidson) moved to amend as follows:

### AMENDMENT NO. 3

Amend Senate Bill No. 769 by adding the following as a new section to be appropriately designated immediately after Section 1, renumbering subsequent sections accordingly:

SECTION—. Tennessee Code Annotated, Section 57-4-102 (d)(1) is further amended by adding the following as new subitem to be designated as subitem (D):

(D) Which state-owned facility, operated by a non-profit charitable corporation established to operate such facility, has a designated, restricted area outside the seating area of any theater within which area the consumption of such alcoholic beverages shall be permitted. The sale of such alcoholic beverages in such facility is limited to no more than one (1) hour and fifteen minutes prior to a meeting, show, performance, reception, or other similar event, and to no later than thirty (30) minutes after such event.

AND FURTHER AMEND by deleting House Amendment No. 1 in its entirety.

On motion, the amendment was adopted.

Mr. Davis (Hamilton) moved to amend as follows:

#### AMENDMENT NO. 4

Amend Senate Bill No. 769 by deleting from Section 2 the figures "250,000" and substituting instead the words and figures "250,000 or of not less than 119,000 nor more than 172,000,"

Mr. McAfee moved that Amendment No. 4 be tabled, which motion failed by the following vote:

Ayes .....	35
Noes .....	41
Present and not voting .....	15

Representatives voting aye were: Baker, Bell (Knox), Bewley, Carter, Copeland, DePriest, Duer, Duncan, Ellis, Ford, Frensley, Harrill, Henry (Roane), Hillis, Hurley, Huskey, Kelley, Kent, Love, McAfee, Martin, Montgomery, Percy, Pruitt, Robertson, Scruggs, Severance, Shockley, Small, Smith, Stallings, Turner, Ussery, Wolfe and Wood—35.

Representatives voting no were: Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Jared, Johnson, Kernell, King (Shelby), King (Washington), Lashlee, Lowe, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Spence, Starnes, Wheeler, Withers, Work and Mr. Speaker McWhorter—41.

Representatives present and not voting were: Akard, Clark (Sumner), Cobb, Dispayne, Gaia, Gill, Henry (Blount), Hudson, McNally, Moore, Sterling, Wallace, Whitson, Wix and Yelton—15.

Thereupon, Amendment No. 4 was adopted.

Mr. Wood moved to amend as follows:

#### AMENDMENT NO. 5

Amend Senate Bill No. 769 by deleting from the amendatory language of Section 1 the words "municipal and/or county government".

Amendment No. 5 failed by the following vote:

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<b>Ayes</b> .....	40
<b>Noes</b> .....	43
<b>Present and not voting</b> .....	11

Representatives voting aye were: Baker, Bewley, Carter, Chiles, Copeland, Dills, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Roane), Hillis, Hurley, Huskey, Jones, Kelley, Kent, McAfee, McNally, Martin, Moore, Percy, Richardson, Robertson, Robinson (Hamilton), Scruggs, Shirley, Shockley, Small, Smith, Stallings, Sterling, Turner, Ussery, Wallace, Wolfe and Wood—40.

Representatives voting no were: Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Disspayne, Gaia, Jared, Johnson, Kernell, King (Shelby), King (Washington), Lashlee, Lowe, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Washington), Severance, Spence, Starnes, Tanner, Wheeler, Withers, Work and Mr. Speaker McWherter—43.

Representatives present and not voting were: Akard, Bell (Knox), Clark (Sumner), Cobb, Davis (Pickett), Henry (Blount), Hudson, Montgomery, Whitson, Wix and Yelton—11.

Mr. Wood moved that Senate Bill No. 769 be re-referred to the Committee on State and Local Government.

Mr. Chiles moved that the motion be tabled, which motion prevailed by the following vote:

<b>Ayes</b> .....	59
<b>Noes</b> .....	30
<b>Present and not voting</b> .....	7

Representatives voting aye were: Bell (Knox), Bewley, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Disspayne, Ellis, Gaia, Gill, Henry (Roane), Hudson, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Severance, Spence, Starnes, Sterling, Tanner, Ussery, Webb, Whitson, Withers, and Mr. Speaker McWherter—59.

Representatives voting no were: Baker, Bell (Wilson), Bivens, Carter, Copeland, Davis (Pickett), Dills, Duer, Duncan, Ford, Harrill, Hillis, Hurley, Huskey, Kelley, McAfee, Percy, Robertson, Robinson (Davidson), Scruggs, Shockley, Small, Smith, Stallings, Turner, Wallace, Wheeler, Wolfe, Wood, and Work—30.

Representatives present and not voting were: Akard, Bragg, Frensley, Henry (Blount), Shirley, Wix and Yelton—7.

Mr. Spence moved the previous question, which motion prevailed by the following vote:

<b>Ayes</b> .....	66
<b>Noes</b> .....	27
<b>Present and not voting</b> .....	3

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Disspayne, Ellis, Gaia, Gill, Harrill, Henry (Roane), Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby),

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King (Washington), Lashlee, Love, Lowe, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Spence, Stallings, Starnes, Sterling, Tanner, Wallace, Webb, Wheeler, Whitson, Withers and Wix—66.

Representatives voting no were: Bell (Knox), Burnett, Carter, Copeland, Davidson, DePriest, Duer, Duncan, Ford, Frensley, Henry (Blount), Hillis, Huskey, McAfee, McKinney, Percy, Robertson, Robinson (Davidson), Scruggs, Shockley, Small, Smith, Turner, Ussery, Wolfe, Wood and Work—27.

Representatives present and not voting were: Bragg, Dills and Yelton—3.

Thereupon, Senate Bill No. 769, as amended, failed to receive a constitutional majority by the following vote:

Ayes .....	46
Noes .....	45
Present and not voting .....	7

Representatives voting aye were: Bell (Knox), Bewley, Brewer, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davis (Gibson), Davis (Hamilton), DeBerry, Dispayne, Ellis, Gill, Hudson, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Spence, Tanner, Ussery, Webb, Withers, and Mr. Speaker McWherter—46.

Representatives voting no were: Baker, Bell (Wilson), Bivens, Bragg, Buck, Burnett, Carter, Copeland, Davidson, Davis (Pickett), DePriest, Dills, Duer, Duncan, Ford, Gaia, Harrill, Henry (Roane), Hillis, Hurley, Huskey, Jared, Kelley, McAfee, McKinney, Murray, Percy, Richardson, Robertson, Robinson (Davidson), Scruggs, Severance, Shockley, Small, Smith, Stallings, Starnes, Turner, Wallace, Wheeler, Whitson, Wix, Wolfe, Wood and Work—45.

Representatives present and not voting were: Akard, Clark (Sumner), Frensley, Henry (Blount), Shirley, Sterling and Yelton—7.

Under the rules, Senate Bill No. 769 was re-referred to the Committee on Calendar and Rules.

House Joint Resolution No. 171—Relative to study, Medicaid System.

Mr. Starnes moved that House Joint Resolution No. 171 be adopted.

Mr. Rhinehart moved to amend as follows:

### AMENDMENT NO. 1

Amend House Joint Resolution No. 171 by adding the following at the end of the third resolving clause:

Whenever possible, such special study committee shall coordinate its activities with the Fiscal Review Committee.

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 171, as amended, was adopted by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work and Yelton—97.

A motion to reconsider was tabled.

House Joint Resolution No. 116—Relative to creating study committee, consumer financing.

Mr. Davis (Hamilton) moved that House Joint Resolution No. 116 be adopted.

Mr. Spence moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution No. 116 by deleting the language of the resolution following the caption in its entirety, and substituting instead the following:

WHEREAS, the Tennessee General Assembly has increased interest rates consistently for the last six years; and

WHEREAS, we have had numerous bills concerning small loans, large loans, savings and loans, and state banks in this General Assembly; and

WHEREAS, there have been bills to raise the effective interest rates on the loans in this state from eighteen percent to twenty-five percent; and

WHEREAS, the people of this state have found it dangerous to life and property when the General Assembly decides to deal with the financing laws of this state; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That the Ninety-Second General Assembly has learned enough and studied the financing laws of this state enough to realize that it is a real danger to the people's property in this state to deal with the financing laws of this state.

BE IT FURTHER RESOLVED, That there is no longer a need for a study committee to study consumer financing and consumer financing laws.

Mr. Davis (Hamilton) moved that the Amendment No. 1 be tabled, which motion prevailed.

Thereupon, House Joint Resolution No. 116, was adopted by the following vote:



Ayes .....	92
Noes .....	5

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

Representatives voting no were: Hurley, Kernell, Shockley, Spence and Withers—5.

A motion to reconsider was tabled.

House Bill No. 380—To reenact premium Finance Company Act of 1980.

On motion, House Bill No. 380 was made to conform with Senate Bill No. 812.

On motion, Senate Bill No. 812, on same subject, was substituted for House Bill No. 380.

Mr. Davis (Hamilton) moved that Senate Bill No. 812 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	74
Noes .....	18
Present and not voting .....	3

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Disspayne, Duer, Frensley, Gaia, Gill, Harrill, Henry (Blount), Hillis, Hudson, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Percy, Pickering, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—74.

Representatives voting no were: Baker, Buck, Crain, Davidson, Davis (Pickett), Dills, Duncan, Ford, Henry (Roane), Hurley, Huskey, Kernell, McKinney, Miller, Owen, Pruitt, Robertson and Shirley—18.

Representatives present and not voting were: Covington, Ellis and Wix—3.

A motion to reconsider was tabled.

House Bill No. 806—To make certain provisions, bank holding companies.

On motion, House Bill No. 806 was made to conform with Senate Bill No. 712.

On motion, Senate Bill No. 712, on same subject, was substituted for House Bill No. 806.

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Mr. Martin moved that Senate Bill No. 712 be passed on third and final consideration.

Ms. Gaia moved the previous question, which motion failed by the following vote:

Ayes .....	52
Noes .....	38
Present and not voting .....	2

Representatives voting aye were: Baker, Bell (Wilson), Bewley, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Davis (Hamilton), Dills, Disspayne, Ford, Gaia, Gill, Harrill, Henry (Blount), Hudson, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lowe, Martin, Montgomery, Moore, Murphy (Shelby), Murray, Owen, Percy, Phillips, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Spence, Starnes, Sterling, Tanner, Turner, Wallace, Webb and Withers—52.

Representatives voting no were: Akard, Bell (Knox), Bivens, Buck, Chiles, Cobb, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Duer, Ellis, Frensley, Henry (Roane), Hillis, Hurley, Kelley, Lashlee, McKinney, McNally, Miller, Naifeh, Pickering, Pruitt, Robertson, Robinson (Davidson), Shirley, Stallings, Ussery, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton—38.

Representatives present and not voting were: Duncan and Love—2.

Mr. McKinney moved that Senate Bill No. 712 be placed on the next available place on the next available Calendar.

Ms. Gaia moved that the motion be tabled, which motion prevailed by the following vote:

Ayes .....	56
Noes .....	37
Present and not voting .....	2

Representatives voting aye were: Baker, Bell (Knox), Bell (Wilson), Bewley, Brewer, Byrd, Carter, Clark (Sumner), Davis (Hamilton), Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hudson, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Murphy (Shelby), Murray, Percy, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Spence, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Withers, Wolfe, Wood and Mr. Speaker McWherter—56.

Representatives voting no were: Akard, Bivens, Bragg, Buck, Burnett, Chiles, Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Ellis, Hillis, Hurley, Johnson, Lashlee, Lowe, McKinney, Miller, Murphy (Davidson), Naifeh, Owen, Phillips, Pickering, Pruitt, Richardson, Small, Stallings, Turner, Wheeler, Wix, Work and Yelton—37.

Representatives present and not voting were: Clark (Davidson) and Shirley—2.

Mr. Murray moved the previous question, which motion prevailed.

Thereupon, Senate Bill No. 712, passed its third and final consideration by the following vote:

Ayes .....	71
Noes .....	26

Present and not voting ..... 1

Representatives voting aye were: Baker, Bell (Knox), Bewley, Bragg, Brewer, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davis (Hamilton), DeBerry, Dills, Duer, Duncan, Ellis, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, Martin, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Percy, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Withers, Wolfe, Wood and Mr. Speaker McWherter—71.

Representatives voting no were: Akard, Bell (Wilson), Bivens, Buck, Chiles, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Frensley, Lashlee, Lowe, McKinney, McNally, Miller, Naifeh, Owen, Phillips, Pickering, Pruitt, Stallings, Wheeler, Wix, Work and Yelton—26.

Representative present and not voting was: Disspayne—1.

A motion to reconsider was tabled.

Mr. Burnett moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 224 out of order, which motion prevailed.

House Joint Resolution No. 224—Relative to recess, House of Representatives—By Burnett.

Mr. Burnett moved that House Joint Resolution No. 224 be adopted, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 504—To set certain requirements, Election Commission.

On motion, House Bill No. 504 was made to conform with Senate Bill No. 689.

On motion, Senate Bill No. 689, on same subject, was substituted for House Bill No. 504.

Mr. Wheeler moved that Senate Bill No. 689 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
 Noes ..... 0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

A motion to reconsider was tabled.

Mr. Wheeler moved that House Bill No. 811 be placed on the Calendar for Tuesday, May 19, 1981, which motion prevailed.

House Bill No. 1170—To amend Title 25, Chapter 1, Code.

Mr. Wheeler moved that House Bill No. 1170 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
 Noes ..... 1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

Representative voting no was: Cobb—1.

A motion to reconsider was tabled.

House Bill No. 1279—To amend Section 7-52-302, Code.

Mr. Wheeler moved that House Bill No. 1279 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

### AMENDMENT NO. 1

Amend House Bill No. 1279 by deleting amendatory subsection (8) in Section 1 and substituting instead the following:

(8) Notwithstanding any of the foregoing, any city which owns an electrical

system supplying electrical power to that municipality and to parts of six (6) or more counties and which has undergone or is undergoing, a reappraisal of property assessments which reappraisal has resulted, or will result, in a reduction in its municipal tax rate may elect, in such event only, to receive a tax equivalent payment from its electric system in an amount not less than the amount it received the preceding year. All such amounts shall be subject to the conditions and limitations of subdivisions (2) through (4) of Tennessee Code Annotated, Section 7-52-302.

On motion, the amendment was withdrawn.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1279 by deleting amendatory subsection (8) in Section 1 and substituting instead the following:

(8) Notwithstanding any of the foregoing, any taxing jurisdiction within an electrical system supplying electric power to that taxing jurisdiction and to parts of six (6) or more counties, none of which has a population of 100,000 or more, and which has undergone or is undergoing, a reappraisal of property assessments which reappraisal has resulted, or will result in a reduction in its tax rate may receive, in such event only, a tax equivalent payment from the electric system in an amount not less than the amount it received the preceding year. All such amounts shall be subject to the conditions and limitations of subdivisions (2) through (4) of Tennessee Code Annotated, Section 7-52-302.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1279, as amended, passed its third and final consideration by the following vote:

Ayes .....	96
Noes .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

Representative voting no was: Buck—1.

A motion to reconsider was tabled.

House Bill No. 764—To enact the “Foreign-Trade Zone Act”.

On motion, House Bill No. 764 was made to conform with Senate Bill No. 573.

On motion, Senate Bill No. 573, on same subject, was substituted for House Bill No. 764.

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Mr. Bragg moved that Senate Bill No. 573 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

A motion to reconsider was tabled.

House Bill No. 1006—To amend Title 56, Code.

On motion, House Bill No. 1006 was made to conform with Senate Bill No. 1062.

On motion, Senate Bill No. 1062, on same subject, was substituted for House Bill No. 1006.

Mr. Bragg moved that Senate Bill No. 1062 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

A motion to reconsider was tabled.

House Bill No. 300—To require certain notices to purchases of collision insurance.

On motion, House Bill No. 300 was made to conform with Senate Bill No. 165.

On motion, Senate Bill No. 165, on same subject, was substituted for House Bill No. 300.

Mr. Love moved that Senate Bill No. 165 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes .....	98
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

A motion to reconsider was tabled.

House Bill No. 125—To tax certain inheritable property.

On motion, House Bill No. 125 was made to conform with Senate Bill No. 643.

On motion, Senate Bill No. 643, on same subject, was substituted for House Bill No. 125.

Mr. Wallace moved that Senate Bill No. 643 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	5

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—93.

Representatives voting no were: Cobb, McAfee, McKinney, Scruggs and Work—5.

A motion to reconsider was tabled.

House Bill No. 1009—To increase rate of gasoline tax.

Mr. Henry (Roane) moved that House Bill No. 1009 be made to conform with Senate Bill No. 987, and that Senate Bill No. 987, on same subject, be substituted for House Bill No. 1009.

Mr. Spence objected to the motion to conform and substitute.

Mr. Burnett moved the previous question on Mr. Henry's motion, which motion prevailed.

Thereupon, Mr. Henry's (Roane) motion to conform and substitute prevailed by the following vote:

Ayes .....	72
Noes .....	20

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Chiles, Clark (Sumner), Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Lowe, McAfee, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stallings, Starnes, Sterling, Tanner, Ussery, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—72.

Representatives voting no were: Byrd, Clark (Davidson), Davidson, DeBerry, Disspayne, Gaia, Gill, Kernell, Lashlee, McKinney, Miller, Naifeh, Phillips, Pruitt, Shirley, Small, Spence, Turner, Wallace and Work—20.

Mr. Disspayne moved that Senate Bill No. 987 be tabled, which motion failed by the following vote:

Ayes .....	25
Noes .....	67

Representatives voting aye were: Byrd, Clark (Davidson), Davidson, DeBerry, Dills, Disspayne, Gaia, Gill, Kernell, King (Shelby), Lashlee, McKinney, Miller, Murphy (Davidson), Murray, Owen, Phillips, Pruitt, Shirley, Small, Spence, Turner, Wallace, Withers and Work—25.

Representatives voting no were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Chiles, Clark (Sumner), Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Lowe, McAfee, McNally, Martin, Montgomery, Moore, Murphy (Shelby), Naifeh, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stallings, Starnes, Sterling, Tanner, Ussery, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—67.

Mr. Tanner moved the previous question, which motion prevailed by the following vote:

Ayes .....	63
Noes .....	28

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Chiles, Clark (Sumner), Crain, Davis (Gibson), Davis (Pickett), DePriest, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Lowe, McAfee, McNally, Martin, Montgomery, Moore, Murphy (Shelby), Murray, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stallings, Starnes, Sterling, Tanner, Ussery, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—63.

Representatives voting no were: Byrd, Clark (Davidson), Copeland, Covington,



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Davidson, DeBerry, Dills, Disspayne, Ellis, Gaia, Gill, Kernell, Lashlee, Love, McKinney, Miller, Murphy (Davidson), Owen, Phillips, Pruitt, Robinson (Hamilton), Shirley, Small, Spence, Turner, Wallace, Withers and Work—28.

Thereupon, Senate Bill No. 987, passed its third and final consideration by the following vote:

Ayes .....	59
Noes .....	38

Representatives voting aye were: Akard, Bell (Knox), Bewley, Bivens, Bragg, Buck, Burnett, Carter, Clark (Sumner), Cobb, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), McNally, Martin, Montgomery, Moore, Murphy (Shelby), Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stallings, Sterling, Tanner, Ussery, Webb, Wheeler, Whitson, Wolfe, Wood, Yelton and Mr. Speaker McWherter—59.

Representatives voting no were: Baker, Bell (Wilson), Brewer, Byrd, Chiles, Clark (Davidson), Copeland, Covington, Crain, Davidson, DeBerry, Dills, Disspayne, Ellis, Gaia, Gill, Jones, Kernell, King (Shelby), Lashlee, Love, Lowe, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Phillips, Pruitt, Shirley, Small, Spence, Starnes, Turner, Wallace, Withers, Wix and Work—38.

A motion to reconsider was tabled.

**STATEMENT BY MR. McAFEE ON SENATE BILL NO. 987**

Mr. Speaker

Due to a malfunction, I was not registered as voting on Senate Bill No. 987. I attempted to push the button and it did not respond.

If possible, I wish to be recorded as voting “no” on Senate Bill No. 987.

Rep. Bill McAfee

**FURTHER CONSIDERATION OF SENATE BILL NO. 191**

Senate Bill No. 191—To amend Title 6, Chapter 51, Code.

Mr. Owen moved that Senate Bill No. 191 be passed on third and final consideration.

Mr. McKinney moved that Senate Bill No. 191, as amended, be read by the Clerk, which motion prevailed.

Ms. Duer moved to amend as follows:

**AMENDMENT NO. 11**

Amend Senate Bill No. 191 by deleting the words and figures “not less than 24,200 nor more than 24,300” wherever they appear.

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section—. The provisions of this act shall also apply in any county having a

population of not less than 24,250 nor more than 24,300 according to the 1970 federal census of population or any subsequent federal census of population. This section shall not become effective until January 1, 1982.

On motion, the amendment was adopted.

Mr. Robinson (Washington) moved to amend as follows:

**AMENDMENT NO. 12**

Amend Senate Bill No. 191 by adding the following as a new section immediately preceding the last section and by renumbering the subsequent section accordingly:

**SECTION —.** The provisions of this act shall also apply in any county having a population of not less than seventy-three thousand nine hundred (73,900) nor more than seventy-three thousand nine hundred and fifty (73,950) according to the 1970 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Yelton moved to amend as follows:

**AMENDMENT NO. 13**

Amend Senate Bill No. 191 by adding the following language at the end of the amendatory language of the new section added by House State and Local Government Committee Amendment No. 1:

In addition to the aforementioned counties, the provisions of this act shall be applicable in counties having a population of not less than 100,000 nor more than 400,000, according to the 1970 federal census of population or any subsequent federal census with the exemption of any county with a population of less than 256,000 and more than 253,000 according to the 1970 federal census or any subsequent federal census.

Mrs. Montgomery moved that Amendment No. 13 be tabled, which motion failed.

On motion, Amendment No. 13 was adopted.

Mr. Owen moved to amend as follows:

**AMENDMENT NO. 14**

Amend Senate Bill No. 191 by deleting the second sentence of the second paragraph of the amendatory language of Section 1 and by substituting in lieu thereof the following:

If such ordinance of annexation would bring one thousand (1,000) or more additional residents within the boundaries of such municipality then during such one hundred twenty (120) day period the qualified voters and the property owners within the territory proposed to be annexed may by petition require ratification of the ordinance by means of referendum of the qualified voters of such territory.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 191, as amended, passed its third and final consideration by the following vote:

Ayes ..... 79

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Noes .....	14
Present and not voting .....	1

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bivens, Buck, Burnett, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Gaia, Gill, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, Martin, Miller, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—79.

Representatives voting no were: Baker, Bewley, Bragg, Byrd, Chiles, Frensley, Henry (Roane), Kelley, Kernell, McNally, Montgomery, Spence, Turner and Webb, 14.

Representative present and not voting was: Pickering—1.

A motion to reconsider was tabled.

House Bill No. 79—To enact Racketeer Influenced and Corrupt Organization Act.

Mr. Murphy (Shelby) moved that House Bill No. 79 be passed on third and final consideration.

On motion, Amendment No. 1 was adopted.

Thereupon, House Bill No. 79, as amended, passed its third and final consideration by the following vote:

Ayes .....	81
Noes .....	12

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Frensley, Gaia, Gill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—81.

Representatives voting no were: Chiles, Cobb, Ford, Harrill, Huskey, Lowe, McKinney, Murphy (Davidson), Pickering, Robertson, Spence and Wix—12.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1315—To repeal Sections 13-16-101 through 13-16-117, Code.

On motion, House Bill No. 1315 was made to conform with Senate Bill No. 1115.

On motion, Senate Bill No. 1115, on same subject, was substituted for House Bill No. 1315.

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Mr. Naifeh moved that Senate Bill No. 1115 be passed on third and final consideration.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1115 by inserting the following language as a new section immediately preceding the final section and by appropriately renumbering such final section:

SECTION—. Powers and authorities formerly imposed upon the Tennessee Industrial Authority by the provisions of Chapter 384, Section 5 of the Public Acts of 1977 and Chapter 872, Section 1 of the Public Acts of 1978 are hereby transferred to the department of Economic and Community Development.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1115, as amended, passed its third and final consideration by the following vote:

Ayes .....	91
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—91.

A motion to reconsider was tabled.

Mr. Small moved that House Bill No. 1004 be placed on the Calendar for Monday, May 25, 1981, which motion prevailed.

House Bill No. 438—To set specification, voting machines.

On motion, House Bill No. 438 was made to conform with Senate Bill No. 351.

On motion, Senate Bill No. 351, on same subject, was substituted for House Bill No. 438.

Mr. Burnett moved that Senate Bill No. 351 be placed on the Calendar for Tuesday, May 19, 1981, which motion prevailed.

Mr. Bragg moved that House Bill No. 1322 be placed on the Calendar for Tuesday, May 19, 1981, which motion prevailed.

Mr. Martin moved that House Bill No. 813 be placed on the Calendar for January, 1982, which motion prevailed.

Mr. Brewer moved that House Bill No. 222 be placed on the Calendar for Wednesday, May 20, 1981, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 127—Relative to study, retirement benefits, certain persons.

The Speaker referred Senate Joint Resolution No. 127 to the Committee on Calendar and Rules.

Mr. Rhinehart moved that the rules be suspended for the purpose of introducing House Resolution No. 58 out of order, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

Representatives voting no were: McKinney and Spence—2.

House Resolution No. 58—Relative to honoring Ruby Garner Barnes—By Rhinehart.

Mr. Rhinehart moved that Resolution No. 58 be adopted, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

Representatives voting no were: McKinney and Spence—2.

A motion to reconsider was tabled.

Mr. Naifeh moved that action on House Bill No. 266 be deferred until May 19, 1981, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 377—To make certain provisions, property tax relief.

**SENATE AMENDMENT NO. 3**

Amend House Bill No. 377 by deleting the following language in its entirety:

Section—. The Division of Property Assessment shall develop and implement a plan to notify those eligible for refund of taxes but who have failed to receive refunds of such taxes.

The plan of notification shall consist of a combination of notification by first class mail to those who failed to return application credit vouchers for taxes otherwise refundable by law, by newspaper coverage and other means of notification.

Claims for refunds for 1980 taxes shall be made prior to the due date of 1981 taxes.

and substituting the following language: Section—. The

Division of Property Assessments shall notify by first class mail each such tax relief recipient whose application for 1980 property tax relief was not processed. The notification will instruct the recipient as to the proper manner and time period for reinitiating a request for the 1980 tax year. The Division of Property Assessments will also distribute a statewide press release which will publicly announce the extended time period.

Mr. Turner moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Shelby), Murray, Nafef, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

A motion to reconsider was tabled.

Mr. Speaker pro tem Brewer relinquished the Chair to Ms. DeBerry, Speaker pro tem.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 502—To provide certain training program, Meharry Medical College.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 502 by deleting the amendatory language of Section 1 in its entirety and substituting the following:

“Funds available for the fiscal year July 1, 1981 through June 30, 1982 to Meharry Medical College for development, expansion, and continuation of Meharry’s family practice residency program pursuant to Tennessee Code Annotated, Section 49-4213, shall be contained in the general appropriations act.”

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**SENATE AMENDMENT NO. 2**

Amend House Bill No. 502 by adding to Section 1 the following new sentence:

Notwithstanding the provisions of Tennessee Code Annotated, Section 49-4213(b), during the fiscal year 1981-1982 the funding per year per resident in training may exceed fifteen thousand dollars (\$15,000) but shall not exceed twenty thousand dollars (\$20,000).

Mr. Robinson (Hamilton) moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

Representative present and not voting was: Sterling—1.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 609—To make certain provisions, executive committee, political parties.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 609 by adding the following section immediately before the last section and renumbering the subsequent section accordingly:

Section . . . Provided, however, the provisions of this act shall not apply to the minority party as defined by Tennessee Code Annotated, Section 2-1-104 (11).

Mr. Cobb moved that the House non-concur in Senate Amendment No. 1, which motion prevailed.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 609 by adding the following section immediately before the effective date section and renumbering the subsequent section accordingly:

**SECTION—** Tennessee Code Annotated, Title 2, Chapter 13, Part 1, is amended by adding at the end of the part the following section:

**SECTION—** When the state executive committee of a party is acting as the state primary board for a party under Tennessee Code Annotated, Section 2-17-104, the ex officio members designated by this act shall not be voting members of the committee.

Mr. Cobb moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, Dills, Dispayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

Representative voting no was: Pickering—1.

A motion to reconsider was tabled.

SENATE AMENDMENT NO. 3

Amend House Bill No. 609 by inserting in the amendatory language of Section 1, Subsection (b), Item (6) between the word “the” and the word “leaders” the word “majority.”

Mr. Cobb moved that the House non-concur in Senate Amendment No. 3, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 690—To amend Section 14-27-114, Code.

SENATE AMENDMENT NO. 1

Amend House Bill No. 690 by deleting from the amendatory language of Section 1 after the words and figures “five (5) years, or both” the words “in the discretion of the court”.

SENATE AMENDMENT NO. 2

Amend House Bill No. 690 by adding new sections 2 and 3 to read as follows and renumbering the remaining section accordingly:

SECTION 2. Tennessee Code Annotated, Section 14-27-114 is amended by deleting from the first sentence of subsection (a) the words “in the discretion of the court”.

SECTION 3. Tennessee Code Annotated, Section 14-27-114, is further amended by deleting from the first sentence of subsection (b) the words “in the discretion of the court”.

Mrs. Montgomery moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	1



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Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

Representatives voting no was: Owen—1.

A motion to reconsider was tabled.

Mr. Rhinehart moved that action on Senate Bill No. 753 be deferred until Tuesday, May 19, 1981, which motion prevailed.

Mr. McKinney moved that the House stand in adjournment until 12:00 o'clock noon, Monday, May 18, 1981, which motion failed by the following vote:

Ayes .....	10
Noes .....	80
Present and not voting .....	1

Representatives voting aye were: Bell (Wilson), Clark (Davidson), Covington, Disspayne, Lashlee, McKinney, Murphy (Davidson), Phillips, Shirley and Spence—10.

Representatives voting no were: Akard, Baker, Bell (Knox), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—80.

Representative present and not voting was: Dills—1.

Mr. Kelley moved that action on House Bill No. 1073 be deferred until Tuesday, May 19, 1981, which motion prevailed.

### HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1244—To enact the Agricultural Development Act.

#### SENATE AMENDMENT NO. 2

Amend House Bill No. 1244 by deleting the second sentence of subsection (b) of Section 6 and substituting therefor the following:

No loan shall be eligible for investment in, purchase or assignment by the authority (1) if the loan was initially made more than six (6) months prior to the date of investment, purchase, or assignment, or (2) if the aggregate principal amount of the loan received

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by a person exceeds five hundred thousand dollars (\$500,000) and in computing said amount a loan received by an individual shall be aggregated with those loans received by his or her spouse and children and a loan received by a firm, partnership or corporation shall be aggregated with those loans received by each owner, partner or stockholder thereof.

AND FURTHER AMEND by deleting part (2) of subsection (a) of Section 7 and substituting therefor the following:

(2) require the lender to certify that it would not have made the loan if the authority had not agreed to purchase the loan pursuant to Section 6 (b).

Mr. Robinson (Washington) moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

Representative voting no was: Smith—1.

A motion to reconsider was tabled.

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Tuesday, May 19, 1981:

House Bill No. 21—Bivens

House Bill No. 54—Murphy (Davidson)

House Bill No. 146—Rhinehart

Senate Bill No. 77—Murphy (Shelby)

Senate Bill No. 239—Moore

Senate Bill No. 420—Davidson

Mr. Wheeler moved that the rules be suspended for the purpose of considering House Joint Resolution No. 220 out of order, which motion prevailed by the following vote:

Ayes .....	87
Noes .....	5

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Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—87.

Representatives voting no were: DeBerry, Miller, Robertson, Smith and Spence—5.

On motion of Mr. Wheeler, House Joint Resolution No. 220, was recalled from the Committee on Calendar and Rules.

House Joint Resolution No. 220—Relative to congratulations, Jo Alison Lobertini.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wheeler, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Lashlee moved that the House stand in recess until Tuesday, May 19, 1981, which motion failed by the following vote:

Ayes .....	15
Noes .....	71
Present and not voting .....	1

Representatives voting aye were: Bell (Wilson), Byrd, Clark (Davidson), Covington, Dills, Hurley, Lashlee, McKinney, Miller, Murphy (Davidson), Owen, Shirley, Webb, Withers and Work—15.

Representatives voting no were: Akard, Baker, Bell (Knox), Bewley, Bivens, Bragg, Buck, Burnett, Chiles, Clark (Sumner), Cobb, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Lowe, McAfee, McNally, Montgomery, Moore, Murray, Naifeh, Percy, Phillips, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—71.

Representative present and not voting was: Kernell—1.

### INTRODUCTION OF BILL

Mr. Kelley moved that the rules be suspended for the purpose of introducing House Bill No. 1345 out of order, which motion prevailed.

House Bill No. 1345—To amend Charter, Lexington—By Kelley.

Passed first consideration.

On motion of Mr. Davis (Pickett), House Bill No. 1302 was withdrawn from the House.

Mr. Scruggs moved that the House refuse to recede from its action in nonconcurring in Senate Amendments Nos. 1, 2 and 3 to House Bill No. 1145, which motion prevailed.

Mr. Scruggs moved that the Speaker appoint a Conference to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 1145, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Scruggs, Smith and Murray as the Conference Committee on House Bill No. 1145.

Mr. Brewer moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 226 out of order, which motion prevailed.

House Joint Resolution No. 226—Relative to encouraging participation, Performing and Visual Arts—By Brewer.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Brewer, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

SECOND ROLL CALL

The roll call was taken with the following results:

Present ..... 96

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

Mr. McKinney questioned the presence of a quorum.

The roll call was taken with the following results:

Present ..... 79

Representatives voting aye were: Baker, Bell (Knox), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Chiles, Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh,

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Owen, Percy, Pickering, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton—79.

### **INTRODUCTION OF RESOLUTIONS**

House Resolution No. 53—Relative to memory, John Lamb, Jr.—By King (Washington) and Robinson (Washington).

Under the rules, House Resolution No. 53 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 221—Relative to honoring Hiwassee Junior College basketball team—By Harrill, Wheeler, Henry (Blount) and Starnes.

Under the rules, House Joint Resolution No. 221 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 222—Relative to supporting Veteran's Administration Medical Center, Murfreesboro—By Moore, Hillis, Lashlee, Yelton, Shockley and Hurley.

Under the rules, House Joint Resolution No. 222 was referred to the Committee on Calendar and Rules.

### **INTRODUCTION OF BILLS**

House Bill No. 1340—To amend Chapter 55, Private Acts, 1951—By Bragg, Buck and Chiles.

Passed first consideration.

House Bill No. 1341—To increase litigation tax, Grundy County—By Murray and Johnson.

Passed first consideration.

House Bill No. 1343—To amend Chapter 167, Private Acts, 1969—By Baker.

Passed first consideration.

### **SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 600—To amend Sections 2-5-101 and 2-5-104, Code.

Passed first consideration.

Senate Bill No. 1053—To amend Section 12-4-106, Code.

Passed first consideration.

Senate Bill No. 1232—To amend Title 57, Chapter 4, Code.

Passed first consideration.

Senate Bill No. 1329—To amend Chapter 689, Private Acts, 1937.

Passed first consideration.

**HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 1334—To amend Chapter 689, Private Acts, 1937.

Passed second consideration and held without reference.

House Bill No. 1335—To create Probate and Juvenile Court, Humphreys County.

Passed second consideration and held without reference.

House Bill No. 1336—To amend Section 67-1105, Code.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1337—To amend Charter, Clarksville.

Passed second consideration and held without reference.

House Bill No. 1338—To create Shelby County Agri-Center Commission.

Passed second consideration and held without reference.

House Bill No. 1339—To create a Board of Highway Commissioners, Cocke County.

Passed second consideration and held without reference.

House Bill No. 1342—To revise boundaries, Huntington Special School District.

Passed second consideration and held without reference.

**ENGROSSED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 79, 1170, 1279 and 1282; and House Joint Resolutions Nos. 116, 171, 220, 223, 224 and 226; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

**ENROLLED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 396, 477, 834 and 953; and House Resolution No. 30; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 396, 477, 834 and 953; House Resolution No. 30.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1334, 1335, 1337, 1338, 1339 and 1342.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Tuesday, May 19, 1981: House Bills Nos. 1141, 451, 900, 55, 488, 839, 23, 994, 614; Senate Joint Resolution No. 48; Senate Bills Nos. 388, 20; House Bills Nos. 1157, 812, 1082, 128; House Joint Resolution No. 192; House Bills Nos. 1007, 1153; Senate Joint Resolution No. 111; House Bills Nos. 1165, 1014, 811; Senate Bill No. 351; and House Bill No. 1322.

GILL, *Chairman.*

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 267—Love

House Bill No. 440—Spence, Kent

House Bill No. 1338—King (Shelby), Murphy (Shelby), Brewer

Pursuant to House Joint Resolution No. 224, Mr. Burnett moved that the House stand in recess until 5:00 p.m., Tuesday, May 19, 1981, which motion prevailed by the following vote:

Ayes .....	71
Noes .....	5
Present and not voting .....	8

Representatives voting aye were: Baker, Bell (Knox), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Cobb, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), Lashlee, Love, Lowe, McAfee, McNally, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—71.

Representatives voting no were: Byrd, Copeland, Kernell, McKinney and Miller—5.

Representatives present and not voting were: Covington, DeBerry, DePriest, Dispayne, Montgomery, Moore, Spence and Work—8.